

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 95-50224  
Conference Calendar

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ENRIQUE SANCHEZ,

Plaintiff-Appellant,

versus

EDIE RUBALCABA ET AL.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. CA-EP-92-263

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December 20, 1995

Before DAVIS, STEWART, and PARKER, Circuit Judges.

PER CURIAM:\*

Enrique Sanchez appeals from the district court's judgment dismissing his civil rights action against Edie Rubalcaba, the El Paso County District Clerk, for failure to state a claim and granting summary judgment in favor of Maria Chavez, the official court reporter for the 168th Judicial District Court in El Paso County. Sanchez has raised nine issues on appeal, which we

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\* Local Rule 47.5.1 provides: "The publication of opinions that merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the court has determined that this opinion should not be published.

liberally construe as a challenge to the district court's analysis and basis for the decision.

We have reviewed the record and the district court's opinion and find no reversible error. Even if all of Sanchez's allegations against Rubalcaba are taken as true, Rubalcaba's conduct was an integral part of the judicial process, and she enjoys absolute immunity for her quasi-judicial acts. As to Chavez, Sanchez has not alleged that she violated a clearly established right. Chavez was not the court reporter at Sanchez's trial; therefore, there is an absence of a genuine issue of material fact, and Chavez is entitled to judgment as a matter of law.

The appeal is without arguable merit and thus frivolous. See Howard v. King, 707 F.2d 215, 220 (5th Cir. 1983). Because the appeal is frivolous, it is DISMISSED. See 5th Cir. Rule 42.2. We caution Sanchez that any additional frivolous appeals filed by him will invite the imposition of sanctions. To avoid sanctions, Sanchez is further cautioned to review any pending appeals to ensure that they do not raise arguments that are frivolous because they have been previously decided by this court.

APPEAL DISMISSED.